

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 FEA-01 ERDA-05 AID-05 CEA-01 CIAE-00

CIEP-01 COME-00 DODE-00 EB-07 FPC-01 H-02 INR-07

INT-05 L-03 NSAE-00 NSC-05 OMB-01 PM-04 USIA-06

SAM-01 OES-06 SP-02 SS-15 STR-04 TRSE-00 PA-01 PRS-01

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R 230701Z APR 76

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 5480

INFO AMCONSUL BOMBAY

LIMITED OFFICIAL USE NEW DELHI 5932

E.O. 11652: N/A

TAGS: ENRG, EINV, IN

SUBJECT: GOI-CALTEX NEGOTIATIONS

1. ACCORDING TO CALTEX REPRESENTATIVE IN DELHI, THE GOI AND CALTEX HAVE NOW AGREED THAT OFFICIAL NEGOTIATIONS ON CALTEX TAKEOVER WILL COMMENCE ON APRIL 30. CALTEX HAS BEEN PROVIDED WITH GOI'S "NEGOTIATING GUIDELINES," I.E., GOI'S POSITION ON THE KEY ISSUES TO BE RESOLVED, AND HAS BEEN ASKED TO SEND NEGOTIATORS WITH SIGNING AUTHORITY.

2. WE HAVE BEEN TOLD THAT THE GUIDELINES STIPULATE THAT THE GOI WILL NOT RECOGNIZE CALTEX'S RE-EVALUATION OF ITS ASSETS, WHICH THE COMPANY PLACES AT ABOUT RS. 700 MILLION, BUT WILL OFFER ONLY THE BOOK VALUE AS OF DECEMBER 31, 1974, WHICH IS ABOUT RS. 140 MILLION.

3. ONCE THE AGREEMENT HAS BEEN FINALIZED, FOREIGN EXCHANGE PAYMENT IS TO BE MADE IN FIVE EQUAL ANNUAL INSTALLMENTS WITH THE FIRST ONE DUE 90 DAYS FOLLOWING THE SIGNING OF THE

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TAKEOVER. THE BALANCE IS TO DRAW EIGHT PERCENT INTEREST TAX

FREE. THE GUIDELINES, WHICH RELATE TO SUCH ISSUES AS PENDING COURT CASES AND COMPANY ASSETS AND LIABILITIES, APPEAR NON-CONTROVERSIAL.

4. IN CALTEX REPRESENTATIVE'S (AND OUR) VIEW, ONLY ISSUE OF SIGNIFICANCE IS VALUE OF ASSETS. SINCE GOI HAS ALREADY ESTABLISHED PRECEDENT ON THIS POINT IN NEGOTIATIONS WITH EXXON AND BURMAH SHELL, IT IS UNLIKELY THAT THERE WILL BE MUCH SUBSTANTIVE GOI "GIVE". ON THE POSITIVE SIDE, CALTEX APPEARS FINALLY TO HAVE ACCEPTED THE FACT THAT A SELL-OUT WILL TAKE PLACE AND IT IS SEEKING A SPEEDY AGREEMENT. GOI HAS ADDED "SWEETNER" IN FORM OF CONTRACT WHEREBY CALTEX WILL SUPPLY ONE MILLION TONS OF CRUDE TO INDIA THIS YEAR. OTHER PURCHASES, MOSTLY IN FORM OF PETROLEUM PRODUCTS, MAY ALSO BE MADE FROM CLATEX.

5. CALTEX PLANS TO SEND THEIR REGIONAL V.P., F.W. ZINGARO, PLUS MESSRS. RYAN (REGIONAL DIRECTOR), HARLAND (MANAGER, FINANCE) AND BUCK (LEGAL). THE INDIAN TEAM IS TO BE HEADED BY THE SECRETARY OF PETROLEUM, B.B. VOHRA, SUPPORTED BY SEVERAL OFFICIALS FROM THE MINISTRIES OF PETROLEUM AND FINANCE.

6. WE WILL ASSIST CALTEX, IF IT SO DESIRES, IN ANY WAY POSSIBLE AND WILL REPORT NEGOTIATING DEVELOPMENTS.
SAXBE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ASSETS, NATIONALIZATION, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: saccheem
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976NEWDE05932
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760155-0872
From: NEW DELHI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760429/aaaaayme.tel
Line Count: 87
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: saccheem
Review Comment: n/a
Review Content Flags:
Review Date: 22 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <22 JUL 2004 by BoyleJA>; APPROVED <05 OCT 2004 by saccheem>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GOI-CALTEX NEGOTIATIONS
TAGS: ENRG, EINV, IN, CALTEX
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006